

Assembly Bill No. 941

CHAPTER 666

An act to amend Sections 999.2, 999.7, and 999.11 of, and to amend, renumber, and add Section 999.12 of, the Military and Veterans Code, relating to veterans affairs.

[Approved by Governor October 9, 2001. Filed with
Secretary of State October 10, 2001.]

LEGISLATIVE COUNSEL'S DIGEST

AB 941, Florez. Disabled veteran business enterprises.

Under existing law, state agencies and all other state entities contracting for materials, supplies, equipment, alteration, repair, or improvement are required to have at least 3% participation goals for disabled veteran business enterprises.

The bill would require the Department of Veterans Affairs and the awarding departments to appoint disabled veteran business enterprise advocates to assist in meeting the participation goals.

The bill would also make clarifying changes.

The people of the State of California do enact as follows:

SECTION 1. Section 999.2 of the Military and Veterans Code is amended to read:

999.2. Notwithstanding any other provision of law, contracts awarded by any state agency, department, officer, or other state governmental entity, including school districts when they are expending state funds for construction, professional services (except those subject to Chapter 6 (commencing with Section 16850) of Part 3 of Division 4 of Title 2 of the Government Code), materials, supplies, equipment, alteration, repair, or improvement shall have statewide participation goals of not less than 3 percent for disabled veteran business enterprises. These goals apply to the overall dollar amount expended each year by the awarding department.

SEC. 2. Section 999.7 of the Military and Veterans Code is amended to read:

999.7. (a) Notwithstanding Section 7550.5 of the Government Code, on January 1 of each year, each awarding department shall report to the Governor, the Legislature, the Office of Small Business Certification and Resources, and the Department of Veterans Affairs on the level of participation by disabled veteran business enterprises in

contracts identified in this article for the previous fiscal year. If the established goals are not met, the awarding department shall report to the Legislature, the Office of Small Business Certification and Resources, and the Department of Veterans Affairs the reasons for the awarding department's inability to achieve the goals and identify steps it shall take in an effort to achieve the goals.

(b) Notwithstanding Section 7550.5 of the Government Code, on April 1 of each year, the Office of Small Business Certification and Resources shall prepare for the Governor, the Legislature, and the Department of Veterans Affairs a statewide statistical summary detailing each awarding department's goal achievement and a statewide total of those goals.

SEC. 3. Section 999.11 of the Military and Veterans Code is amended to read:

999.11. The Department of Veterans Affairs shall appoint an advocate to do all of the following:

(a) Oversee, promote, and coordinate efforts to facilitate implementation of this article.

(b) Disseminate information on this article.

(c) Coordinate reports pursuant to Section 999.7.

(d) Coordinate with administering agencies and existing and potential disabled veteran business enterprises to achieve the goals specified in Sections 999.1 and 999.2.

(e) Coordinate with the disabled veteran business enterprise advocates appointed in all awarding departments pursuant to Section 999.12.

SEC. 4. Section 999.12 of the Military and Veterans Code, is amended and renumbered to read:

999.13. This article includes language similar to that contained in Article 1.5 (commencing with Section 10115) of Chapter 1 of Part 2 of Division 2 of the Public Contract Code and does not create an independent or additional goal or program.

SEC. 5. Section 999.12 is added to the Military and Veterans Code, to read:

999.12. Each awarding department shall appoint an agency disabled veteran business enterprise advocate. This person shall be the same individual appointed pursuant to Section 14846 of the Government Code. The disabled veteran business enterprise advocate shall do all of the following:

(a) Assist certified disabled veteran business enterprises in participating in that agency's contracting process.



(b) Assist contract officers in seeking disabled veteran business enterprises to participate in the agency's contract and procurement activities.

(c) Disseminate information to the agency's contract and procurement staff.

(d) Serve as an advocate for the disabled veteran business enterprises that are utilized as the agency's contractors or subcontractors.

(e) Report to the Office of Small Business Certification and Resources regarding any violation of this article.

(f) Coordinate with the state disabled veteran business enterprise advocate at the Department of Veterans Affairs in an effort to meet the statewide 3-percent goal provided for in Section 999.2.

